

REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Claims 1 and 11 are amended to include the features from claims 5 and 14, respectively. As a result, claims 5 and 14 are canceled. Claims 6, 9, 15 and 16 are amended to change dependency. No new matter has been added. Claims 1-4, 6-13, 15-17 and 19-23 are pending.

The amendments do not require further consideration or searching since they are all features that were previously recited in claims 5 and 14.

Claim rejections

Claims 1-10 are rejected under 35 USC 103(a) as being unpatentable over US 2002/0017411 to Weiss et al. in view of US 5,329,787 to Friday.

Claims 11-17 and 19-23 are rejected under 35 USC 103(a) as being unpatentable over Weiss et al. in view of Friday and US 4,964,265 to Young.

Applicant respectfully submits that the claims are patentable over Weiss, Friday and Young.

Although claim 5 was previously rejected in view of Weiss and Friday, Applicant submits that Weiss and Friday do not teach or suggest separate drive and steering motors, with the steering motor pivotally turning a pair of wheels, as recited in claim 1. These features are missing from Weiss and Friday, as evidenced by the rejection to claims 11-17 and 19-23. Therefore, a prime facie case of unpatentability has not been established with respect to previous claim 5, and the finality of the office action should be withdrawn.

The reference to Young is relied upon to teach the use of a steering motor. Young teaches a lawn mower where a pair of wheels of the mower are steered via an electric motor 75, pulleys 55, 60 and belt 65 to pivotally turn wheels 40. Young teaches that the steering mechanism is mounted in the open and not enclosed within a confined space. Young does not teach mounting a steering assembly within a space, such as the component mounting portion recited in claims 1 and 11 or the mounting space recited in claim 19.

By mounting a steering assembly within a space as claimed, the steering forces must be transmitted to the wheels. If the steering mechanism of Young is combined with Weiss and Friday, the steering forces of the Young mechanism would need to be transferred from an interior space to the outside of the space where the wheels of Weiss are located, in order to engage the wheels. Young, Weiss and Friday do not teach how to transfer steering forces from an interior space to exterior wheels in order to steer the wheels.

Furthermore, Young is non-analogous art to Weiss and Friday. Young is directed to a lawn mower. A lawn mower is not a utility cart as recited in claims 1 and 11, or an ice chest as recited in claim 19. Therefore, a person of ordinary skill in the art, being aware of Weiss and Friday, would not turn to the disparate art of Young for a teaching of using a steering mechanism to steer a storage container as taught by Weiss.

Weiss also teaches that his storage container can be hand pulled using a manual handle 24. Weiss also teaches that his container needs to be as easily transportable as possible (see paragraphs [0004] to [0006]). Therefore, weight reduction would be important to the Weiss device. The addition of a separate steering motor, along with the pulleys and belts as taught by Young, would greatly increase the weight of the Weiss container. As a result, the addition of a separate steering motor and other components to the Weiss container for the purpose of steering the wheels would go against the teachings of Weiss which seeks to reduce weight. Therefore, it would not have been obvious to a person having ordinary skill in the art to modify Weiss with the mechanism taught by Young.

For at least these reasons, claims 1, 11 and 19 are patentable over Weiss and Friday, and Weiss, Friday and Young. Claims 2-4, 6-10, 12-13, 15-17, and 20-23 depend from claims 1, 11 and 19, and are patentable therewith and need not be separately distinguished. Applicants do not concede the rejections to the dependent claims.

However, with respect to claim 20, Applicant notes that the partition 15 of Friday that separates the food and beverage compartments 20, 21 is not insulated, and thus is not an insulated sealing floor as recited in claim 20. In addition, the tray insert 30 of Friday is not insulated, and thus is not an insulated sealing floor as recited in claim 20. Friday

discloses that the partition and insert 30 are designed to allow cool air to pass through to cool the compartments 20, 21 (see column 5, lines 6-11).

Therefore, the proposed combination of Weiss, Friday and Young does not teach or suggest an insulated sealing floor as recited in claim 20. None of these references teach or suggest a need to separate a mounting space and a storage space using an insulated sealing floor. As a result, a prima facie case of obviousness has not been established with respect to claim 20, and the final rejection should be withdrawn.

Conclusion


In view of the above, Applicants believe that the claims are allowable. Favorable reconsideration in the form of a Notice of Allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned at (612) 455-3805.

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